

1 TITLE 14. Natural Resources

2 Division 1.5. Department of Forestry and Fire Protection

3 Chapter 7. Fire Protection

4 Article 5. Standards for Cooperative Fire Protection Contracts During
5 the Non-fire Season

6 Publish Date: April 19, 2006

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8 Key for Changes to Modified Text:

9 Underscore = Text additions as noticed on November 18, 2005

10 ~~Strikethrough~~ = Text deleted as noticed on November 18, 2005

11 Double underscore = Text additions as noticed on April 19, 2006

12 ~~Double strikethrough~~ = Text deleted in version dated April 19, 2006

13
14 \$1261. Standards for Personnel Assignment and Cost Apportionment.

15 (a) ~~No more than 50 percent of the Fire Captains and Fire~~
16 ~~Apparatus Engineers assigned within a Ranger Unit may be committed to~~
17 ~~cooperative fire protection programs pursuant to PRC 4143/4144, within~~
18 ~~that Ranger Unit. The actual assignment of personnel within the Unit~~
19 ~~for participation in cooperative fire protection programs pursuant to~~
20 ~~PRC 4143/4144 (Amador Program) will be determined after first~~
21 ~~assessing the needs of the Department's non-fire season work program.~~
22 ~~The 50 percent rule may be exceeded where the Director determines that~~
23 This assessment will include, but not be limited to, fire prevention
24 inspections, facilities maintenance, vehicle maintenance, training
25 programs and other Unit, Region or State mission assignments.
Following this assessment, the Unit Chief will ensure sufficient

1 staff, consistent with State-wide program policy, exists to carry out
2 the Department's non-fire season work program and that the striking
3 force and efficiency of the Department in its primary mission of
4 wildland fire protection, as well as response to major fires or other
5 natural disasters, will not be reduced or impaired.

6 (b) ~~The number of PRC 4144 post positions provided by the~~
7 ~~Department to staff a single fire engine will not exceed one be~~
8 ~~sufficient to meet the operational needs established by the Director's~~
9 ~~Amador Policy. For purposes of this subsection, a "post position" is~~
10 ~~a position which is staffed at a California Department of Forestry and~~
11 ~~Fire Protection facility 24 hours per day, seven days per week, for~~
12 ~~the period specified by agreement. Staffing for cooperative fire~~
13 protection program engines pursuant to PRC 4143/4144 will be at levels
14 that are mutually agreeable to all parties of the fire protection
15 agreement. The minimum engine staffing for the non-fire season period
16 is two persons for local agency mission responses and three persons
17 for State mission responses. Local agency mission response means a
18 response to the needs of the local cooperating agency which includes,
19 but is not limited to, responses to structure, vehicle and vegetation
20 fires; medical aids; public assistance; and traffic collisions. State
21 mission response means a response to a State jurisdiction emergency
22 incident.

23 (c) At the request of the ~~county~~ contracting city, county,
24 special district, other political subdivision of the state, or
25 contracting person, firm, association, corporation (contracting
entity), the Director may provide personnel for ~~the functions of~~

~~program administration, chief officer response training, fire prevention and/or emergency command center services,,~~ at a cost to the county which reflects the difference between the non fire mission and fire mission rates. These rates shall include employee benefits and cash payment for overtime. Personnel assigned to these functions shall not be subject to the 50 percent rule as set forth in subsection (a). ~~The contracting city, county, special district, other political subdivision of the state, or contracting person, firm, association, corporation, or other political subdivision of the state or corporation shall be apportioned the additional cost for extended staff availability for 24 hour emergency response, for state personnel assigned to staff fire engines. This rate will be determined annually by the Director, plus staff benefit costs attributable to the apportionment, and total unplanned overtime pay. The Department shall recover its actual additional costs.~~ participation in cooperative fire protection programs pursuant to PRC 4143/4144. The contracting entity shall be apportioned the actual additional cost for assigned personnel, facilities, equipment, and operating expenses. These costs will be determined by the Director no later than April 15 of each year. For the purposes of this section, the Amador Period is defined as the period from the closure of declared fire season until the opening of declared fire season the following year.

(d) ~~The costs to the Department resulting from the inability of engine company response personnel to reduce compensating time off (CTO) balances incurred during the fire season shall be apportioned as costs to the county. The Director shall apportion these costs~~

~~according to the following formula:~~ The Director shall apportion
actual additional costs as follows:

(1) ~~The staffing formula shall be 3.00 persons per post~~
~~position to provide for fire engine coverage, consistent with a 72 hour~~
~~provide sufficient post positions for fire engine coverage, consistent~~
~~with the current collective bargaining agreement MOU titled "Bargaining~~
~~Unit 8 Firefighter" work week criterion for each employee. Minimum~~
Engine Staffing: For two person engine company staffing, the
contracting entity will provide funding for one person per engine per
day and the Department will assign sufficient employees to meet the
minimum two person staffing requirement. The contracting entity will
provide funding for all unplanned overtime required to ensure 24-hour
emergency response availability.

(2) ~~This formula includes allowances for taking sick leave and,~~
~~vacation, and CTO and is designed to apportion actual costs incurred~~
~~by the Department to the local agency. the county the costs to the~~
~~Department resulting from the inability of its employees to reduce CTO~~
~~balances incurred during the fire season. Additional Engine Company~~
Staffing: Where it is mutually agreeable to have engine company
staffing in excess of the minimum two person engine company, the
contracting entity will provide funds for additional positions to meet
the engine company staffing requirements.

(3) Additional Operational Support Staff: Costs for Battalion
Chiefs, Emergency Communications Center staff, fire prevention
officers, and other non-engine staffing positions with significant

commitment to the contracting entity as determined by the Unit Chief,
shall be apportioned based on the following method. Significant
commitment to the contracting entity means generally 8 hours or more
per week in support of the local response mission:

(A) For the non-fire season period, determine the
average hours per month that State resources are committed to local
agency mission responses using computer aided dispatch data using the
following criteria: The analysis shall include responses of Department
Amador Program resources on a Statewide basis, to establish a
Statewide average hours of commitment. The analysis shall include
responses made between December 1st through May 1st of the prior year's
non-fire season period. For purposes of this analysis, local agency
mission responses shall include all responses to all medical aid,
traffic collision, rescue, public assistance, and all fires from two
weeks after, to two weeks before, the declared fire season period.

(B) Apply (3) (A) above to applicable equipment and
operational support staff base salary costs to determine the cost to
apportion to the entity.

(4) The local contracting entity shall be responsible for
additional costs to the State such as unplanned overtime and operating
costs including utilities, associated equipment, and communications
associated with the local agency mission responses. Engine rental
costs shall be apportioned based on the formula in 14 CCR 1261 (3) (A)
and (B) using current rates for Fire Engines (1000 gallons or less
per minute pump capacity) stated in the Federal Emergency Management

Agency Schedule of Equipment Rates.

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